

In paragraphs 2-3 and 8 of the Office Action, the Examiner responds to Applicant's previous arguments concerning claims 1-3 and 15-16. Specifically, in its responses dated October 18, 2002 and December 3, 2002, Applicant traversed Examiner's contention that such claims were anticipated by JP '573. Applicant attempted to demonstrate in its previous responses that JP '573 does not disclose a retractable line that can be maneuvered in multiple directions. (See Applicant's Response of October 18, 2002, page 3). In the Office Action of January 9, 2003, Examiner suggests (page 6, paragraph 1) that this feature in Applicant's specification is "not recited in the rejected claim(s)." The undersigned and Examiner have had further discussions about Examiner's suggestion during a telephone interview on April 21, 2003. To resolve Examiner's concern, Applicant requests that claims 1 and 15 be amended, in accordance with 37 C.F.R. 1.116 and with 37 C.F.R. 1.121.

Please amend claim 1 as follows:

- C1
1. (Twice Amended) An apparatus for covering payloads, said apparatus comprising:
 - (a) a suspended track;
 - (b) a hoist, slidably engaged to said track, said hoist having a retractable line, said retractable line being maneuverable in multiple directions;
 - (c) a spreader bar attachable to said retractable line, said bar having means for attaching to a covering; and
 - (d) means to move said hoist.
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C2 [Please amend claim 15 as follows:]

15. (Amended) An apparatus for covering payloads, said apparatus comprising a movable hoist slidably suspended over a payload, said hoist having a retractable line that is maneuverable in multiple directions and that can be connected to a covering to be spread over the payload.
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Applicant respectfully submits that these amendments overcome Examiner's objections as to JP '573 and place independent claims 1 and 15 in condition for allowance. Likewise, it is also respectfully submitted that dependent claims 2-3, 9-10, and 11-12, which depend from claim 1, and dependent claim 16, which depends from claim 15, are also in condition for allowance.

Claim Rejections (Paragraphs 4-5, & 8 of Office Action)

In paragraphs 4-5 and 8 of the Office Action, the Examiner responds to Applicant's arguments concerning claims 9-10. It is respectfully submitted that these claims, which depend from claim 1, have been placed in a condition of allowance by virtue of the amendment to claim 1 above, and that no further amendment is necessary. To the extent Examiner disagrees, it is noted that Applicant had previously traversed Examiner's contention that such claims were anticipated by JP '573 in view of Stewart '028. (See Applicant's Response of October 18, 2002, page 4). In Stewart '028, the means to move the hoist comprise a remote electronically connected system that is pendently connected to the hoist apparatus. Applicant attempted to demonstrate previously that the present application can comprise *non-pendant*, remote controlled means for moving the hoist. In the Office Action of January 9, 2003, Examiner suggests (page 6, paragraph 3) that this feature in Applicant's specification is "not recited in the rejected claim(s)." The undersigned and Examiner have had further discussions about this during a telephone interview on April 21, 2003. To resolve Examiner's concern, Applicant requests that the claims be amended in accordance with 37 C.F.R. 116 and 37 C.F.R. 1.21.

Please amend claim 9 as follows:

9. (Amended) The apparatus of claim 1, wherein said means to move said hoist comprises a non-pendant electronically operable remote controlled system.

Ch [Please amend claim 10 as follows:]

10. (Amended) The apparatus of claim 1, wherein said means to move said hoist comprises
- (a) a guide extending laterally from said hoist; and
 - (b) a wire connected at one end to said hoist, running along said guide, and connected at its second end to said remote controlled system.
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Applicant respectfully submits that these amendments overcome Examiner's objections to claims 9 and 10 concerning Stewart '028.

Claim Rejections (Paragraphs 6 & 8 of Office Action)

In paragraphs 6 and 8 of the Office Action, the Examiner rejects claims 11 and 12 as being anticipated by JP '573 in view of Carlsson. It is respectfully submitted that, for the reasons given above concerning claim 1 and the amendments thereto, claims 11 and 12, which depend from claim 1, are not anticipated by JP '573 in view of Carlsson and are in a condition of allowance.

Allowable Subject Matter (Paragraph 7 of Office Action)

In paragraph 7 of the Office Action, Examiner notes that claims 4-8 and 13-14, all of which depend from claim 1, are allowable once written in independent form. As argued above, claim 1 is now in a condition of allowance and thus renders moot the request that claims 4-8 and 13-14 be rewritten in independent form. To the extent Examiner rejects Applicant's arguments above, Applicant respectfully requests and opportunity to rewrite these claims in the form requested.